

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

CEDRIC GREENE,

Plaintiff,

v.

HOUSING AUTHORITY OF THE CITY OF  
LOS ANGELES,

Defendant.

Case No. 2:16-cv-00490-APG-VCF

**ORDER ACCEPTING REPORT AND  
RECOMMENDATION AND  
OVERRULING OBJECTIONS**

(ECF Nos. 2, 6)

On March 15, 2016, Magistrate Judge Ferenbach entered an order and report and recommendation recommending that plaintiff Cedric Greene's complaint be dismissed with leave to amend. ECF No. 2. Specifically, Judge Ferenbach stated that the court does not have personal jurisdiction over the Housing Authority of the City of Los Angeles and nothing in Greene's complaint suggested the court had such jurisdiction. *Id.* at 3. Additionally, Judge Ferenbach noted that although Greene named the U.S. Government as a defendant, he did not allege that it engaged in any wrongdoing. *Id.* at 3 n.1.

Greene objects. ECF No. 6. Greene argues he cannot bring his case in California so he filed it here. *Id.*

I conducted a de novo review of the issues set forth in the report and recommendation. 28 U.S.C. § 636(b)(1). Judge Ferenbach sets forth the proper legal analysis and factual basis for the decision. This court has no personal jurisdiction over the Housing Authority of the City of Los Angeles as a general matter and Greene's complaint does not suggest a basis to exercise that jurisdiction in this case. Greene's assertion that he cannot sue in California courts does not confer on this court the authority to exercise personal jurisdiction over the Housing Authority. Although the complaint states the U.S. Government is a party, there are no factual allegations of any conduct on the U.S. Government's part. Further, subject matter jurisdiction appears to be lacking because no colorable claim has been asserted against the U.S. Government and the claim against

1 the Housing Authority is a state law negligence claim by a California citizen against a California  
2 entity.

3 IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation  
4 **(ECF No. 2) is accepted** and the complaint **(ECF No. 1-2) is DISMISSED without prejudice.**

5 IT IS FURTHER ORDERED that on or before August 5, 2016, plaintiff Cedric Greene  
6 shall file an amended complaint correcting the identified deficiencies if he can do so, or this  
7 action will be dismissed with prejudice.

8 DATED this 6<sup>th</sup> day of July, 2016.

9 

10 \_\_\_\_\_  
11 ANDREW P. GORDON  
12 UNITED STATES DISTRICT JUDGE  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28